



General Assembly

Substitute Bill No. 88

February Session, 2012

* ____SB00088ENV__031512__ *

**AN ACT CONCERNING THE PUBLIC'S RIGHT TO KNOW OF A
SEWAGE SPILL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2012*) (a) For the purposes of this
2 section:

3 (1) "Sewage treatment plant or collection system" means any sewage
4 treatment plant, water pollution control facility, related pumping
5 station, collection system or other public sewage works;

6 (2) "Sewage spill" means the diversion of wastes from any portion of
7 a sewage treatment plant or collection system in this state that
8 reasonably initiates public health, safety or welfare concerns, or
9 environmental concerns; and

10 (3) "Combined sewer" means structures which are designed to
11 convey both sanitary and storm sewage, and allow the overflow of
12 such combined sewage, untreated, to the waters of the state during
13 periods of high flows.

14 (b) On or before July 1, 2013, the Commissioner of Energy and
15 Environmental Protection shall post, on the department's Internet web
16 site, a map of the state indicating the combined sewer overflows
17 anticipated to occur during certain storm events. The web site may

18 include the following relevant information about the overflows: (1)
 19 Location, anticipated duration and extent; (2) reasonable public health,
 20 safety or environmental concerns; and (3) public safety precautions
 21 that should be taken.

22 (c) On or before July 1, 2014, the Commissioner of Energy and
 23 Environmental Protection shall post, on the department's Internet web
 24 site, notice of unanticipated sewage spills and waters of the state that
 25 have chronic and persistent sewage contamination that represents a
 26 threat to public health, as determined by the Commissioner of Energy
 27 and Environmental Protection in consultation with the Commissioner
 28 of Public Health. Any notice posted pursuant to this subsection may
 29 contain the following relevant information as best determined from the
 30 reported sewage spill incident: (1) The estimated volume of discharge;
 31 (2) the level of treatment of the discharge; (3) the date and time the
 32 incident occurred; (4) the location of the discharge; (5) the estimated or
 33 actual time the discharge ceased; (6) the geographic area impacted by
 34 the discharge; (7) the steps taken to contain the discharge; (8)
 35 reasonable public health, safety or welfare concerns or environmental
 36 concerns; and (9) public safety precautions that should be taken.

37 (d) The Commissioner of Energy and Environmental Protection
 38 shall consult with the Commissioner of Public Health, operators of
 39 sewage treatment plant or collection systems and state and local
 40 environmental and health agencies when developing the notice
 41 required by subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2012	New section

ENV *Joint Favorable Subst.*